

1 **R277. Education, Administration.**

2 **R277-920. School Improvement - Implementation of the School Turnaround and**  
3 **Leadership Development Act.**

4 **R277-920-1. Authority and Purpose.**

5 (1) This rule is authorized by:

6 (a) Utah Constitution Article X, Section 3, which vests general control and  
7 supervision over public education in the Board;

8 (b) ~~S[ubs]ection 53A-1-401[(3)],~~ which allows the Board to ~~[adopt]~~make rules ~~[in~~  
9 ~~accordance with its responsibilities]~~to execute the Board's duties and responsibilities under  
10 the Utah Constitution and state law; and

11 (c) Title 53A, Chapter 1, Part 12, School Turnaround and Leadership Development  
12 Act, which requires the Board to make rules to establish:

13 ~~[(i) outcome-based measures to designate a low performing school;]~~

14 (i) an appeal process for the denial of a school turnaround plan;

15 (ii) provisions regarding funding distributed to a low performing school;

16 (iii) criteria for granting an extension to a low performing school;

17 (iv) criteria for exiting a school that has demonstrated sufficient improvement;

18 (v) criteria for approving a teacher recruitment and retention plan;

19 ~~[(i)vi] [consequences]~~implications for a low performing school; and

20 ~~[(i)vi] eligibility criteria, application procedures, selection criteria, and procedures for~~  
21 ~~awarding incentive pay for the School Leadership Development Program.~~

22 (2) The purpose of this rule is to:

23 (a) enact provisions governing school improvement efforts; and

24 (b) implement and administer the School Turnaround and Leadership Development  
25 Act.

26 **R277-920-2. Definitions.**

27 (1) "Appeal committee" means the committee established by Section R277-920-5.

28 (2) "Committee" means a school turnaround committee established in accordance

29 with Subsection 53A-1-1204(1) or 53A-1-1205(4).

30 (3) "Eligible school" means the same as that term is defined in Section 53A-1-1208.

31 (4) "Low performing school" means a school that is:

32 ~~—(a) for two consecutive school years in the lowest performing:~~

33 ~~(i)a~~ 3% of the high schools statewide according to the percentage of possible  
34 points earned under the school ~~[grading]~~ accountability system; and

35 ~~(ii)b~~ 3% of the elementary, middle, and junior high schools statewide according to  
36 the percentage of possible points earned under the school ~~[grading]~~ accountability system;  
37 ~~and].~~

38 ~~[(b) identified by another measure identified by the Board.]~~

39 ~~(4)5~~ "Local education board" means a local school board or charter school  
40 governing board.

41 ~~[(5) "Plan" means a school turnaround plan described in Subsection 53A-1-1204(3).]~~

42 (6) "School improvement grant" means a Title I grant under the Elementary and  
43 Secondary Education Act, 20 U.S.C. Sec. 6303(g).

44 (7) "Schools in critical needs status" means a school that has been identified under  
45 Subsection R277-920-3(1).

46 ~~(7)8~~ "School leader" means the same as that term is defined in Section 53A-1-  
47 1209.

48 ~~[(8) "School turnaround program" means the school turnaround program described~~  
49 ~~in:~~

50 ~~—(a) Sections 53A-1-1203 through 53A-1-1207; and~~

51 ~~—(b) Sections R277-920-3 through R277-920-7.]~~

52 (8)9 "Title I school" means a school that receives funds under the Elementary and  
53 Secondary Education Act of 1965, Title I, 20 U.S.C. Sec. 6301 et seq.

54 **R277-920-3. Superintendent's [Designation of Low Performing Schools and Waiver**  
55 **Authority] Identification of Schools for Critical Needs Status -- Readiness Review.**

56 ~~[(1) The Superintendent may issue a waiver and exclude a low performing school~~

57 from participating in the school turnaround program if:

58 ~~—— (a) the low performing school:~~

59 ~~—— (i) has been designated a priority school by the Superintendent;~~

60 ~~—— (ii) received school improvement grant money for the school year immediately~~

61 ~~following the school year for which the school is being graded; and~~

62 ~~—— (iii) is already working with a turnaround expert through the school improvement~~

63 ~~grant; or~~

64 ~~—— (b) the low performing school is in the school's first three years of operation.~~

65 ~~—— (2) If the Superintendent excludes a low performing school from the school~~

66 ~~turnaround program as described in Subsection (1), the Superintendent shall designate~~

67 ~~additional schools, outside of the lowest performing 3% of schools statewide according to~~

68 ~~the percentage of possible points earned under the school grading system, until the school~~

69 ~~turnaround program includes at least 3% of the total public schools statewide.~~

70 ~~—— (3) When selecting an additional school described in Subsection (2), the~~

71 ~~Superintendent shall include the next lowest performing schools according to the~~

72 ~~percentage of possible points earned under the school grading system.]~~

73 (1) Subject to Subsection (2), on or before September 30, the Superintendent shall

74 annually identify schools for critical needs status if the school is a:

75 (a) ~~[assigned the lowest rating in the state's accountability system for two~~

76 ~~consecutive years]~~low performing school;

77 (b) ~~[a]~~high school with a four-year adjusted cohort graduation rate of less than or

78 equal to 67% for two consecutive school years;

79 (c) ~~[a]~~Title I school with chronically underperforming student groups as described

80 in Section R277-920-11; or

81 (d) ~~[a]~~Title I school that:

82 (i) has not been identified under Subsection (1)(a), (b), or (c); and

83 (ii) performed in the lowest 5% of Title I schools over the past three years on

84 average according to the percentage of points earned under the school accountability

85 system.

- 86           (2) The Superintendent shall make the identification under:
- 87           ~~[(a) Subsection (1)(a) beginning with the 2017-2018 school accountability results~~
- 88 ~~and every year thereafter;]~~
- 89           [(b)a] Subsection (1)(b) beginning with the 2018-2019 school accountability results
- 90 and every two years thereafter;
- 91           [(e)b] Subsection (1)(c) beginning with the 2022-2023 school accountability results
- 92 and every three years thereafter; and
- 93           [(d)c] Subsection (1)(d) beginning with the 2021-2022 school accountability results
- 94 and every three years thereafter.
- 95           (3)(a) Except as provided in Subsection (3)(b), schools in critical needs status are
- 96 required to comply with the provisions of Title 53A, Chapter 1, Part 12, School Turnaround
- 97 and Leadership Development Act.
- 98           (b) Schools that are identified under Subsections (1)(b), (1)(c), and (1)(d) are
- 99 exempt from the requirement to contract with an independent school turnaround expert
- 100 described in Section 53A-1-1206.
- 101           (4)(a) Beginning with the 2018-2019 school year, [F]the Superintendent shall
- 102 conduct a review of a local education [board's]agency's readiness and capacity to support
- 103 school improvement initiatives if the number of schools in critical needs status under the
- 104 local education board's authority is the lesser of:
- 105           (i) 25% of the total number of schools under the local education board's authority;
- 106 or
- 107           (ii) 5 schools.
- 108           (b) The Superintendent shall prioritize Title 1, Part A: 1003(a) school improvement
- 109 funds to a local education agency described in Subsection (4)(a):
- 110           (i) based on the extent to which the results of the assessment described in
- 111 Subsection (4)(a) indicate that a local education agency has the readiness and capacity
- 112 to support school improvement initiatives; and
- 113           (ii) if the local education agency qualifies for Title I, Part A: 1003(a) school
- 114 improvement funds.

- 115 (c) The review conducted under Subsection (4)(a) shall include a resource allocation  
116 review, including analyzing the allocation of:  
117 (i) state, local, and federal funds to schools in critical needs status; and  
118 (ii) human capital resources.

119 **R277-920-4. School Turnaround Plan Submission and Approval Process.**

120 (1) In addition to the requirements described in Subsection 53A-1-1204(~~[3]~~5), a plan  
121 shall include at least the following:

122 ~~[(a) a requirement that the school leaders of the [low performing] school in critical~~  
123 ~~needs status participate in the School Leadership Development Program described in~~  
124 ~~Section 53A-1-1209 and Section R277-920-8;~~

125 ~~—— (b) a thorough analysis of the root cause of the low performing school's low~~  
126 ~~performance;~~

127 ~~—— (c) a specific and detailed plan to address the root cause of the low performing~~  
128 ~~school's low performance;]~~

129 ~~[(d)[b]a) if the [low performing] school in critical needs status is a district school, a~~  
130 ~~request [from]to the local school board or district superintendent for:~~

131 (i) additional resources;

132 (ii) personnel; or

133 (iii) exemptions from district policy that may be contributing to the low performance  
134 of the district school; and

135 ~~[(e)[c]b) a plan for management of school personnel, including:~~

136 (i) recruitment of an educator or school leader; and

137 (ii) professional development for an educator or school leader.

138 (2) A local education board shall include in the plan a strategy for sustaining school  
139 improvement efforts after a school exits critical needs status.

140 ~~[(2)3(a) A local [school board or charter school governing]education board may~~  
141 ~~approve or deny a plan in whole or in part, if the part of the plan the board denies is~~  
142 ~~severable from the part of the plan the board approves.~~

143 (b) A local ~~[school board or charter school governing]~~education board shall give a  
144 reason for a denial of each part of a plan.

145 (4) On or before January 15, a local education board of a low performing school  
146 shall submit a proposal described in Subsection 53A-1-1204(1) or Subsection 53A-1-  
147 1205(4) to the Superintendent for approval.

148 ~~[(3)5]~~ A local ~~[school board or charter school governing]~~education board shall submit  
149 a plan in accordance with Subsection 53A-1-1204~~[(5)(b)]~~(7) or Subsection 53A-1-  
150 1205~~[(7)(b)]~~(9) to the ~~[Superintendent]~~Board.

151 ~~[(4)6](a)]~~ In accordance with Subsection 53A-1-1206~~[(4)3]~~, the ~~[Superintendent~~  
152 ~~shall]~~Board may review and approve or deny a plan in whole or in part, if the part of the  
153 plan the ~~[Superintendent]~~Board denies is severable from the part of the plan the  
154 ~~[Superintendent]~~Board approves.

155 ~~[(b)The Superintendent shall give a reason for a denial of each part of a plan.]~~

156 **R277-920-5. Funding.**

157 (1) The Superintendent shall annually designate an amount of funds available for  
158 distribution under this section, taking into consideration:

159 (a) variability in the number of schools that are identified on an annual basis;

160 (b) encumbered funds; and

161 (c) other program obligations.

162 (2) Subject to availability of funds, on or before January 30 of the school year in  
163 which a low performing school is identified~~[under Subsection R277-920-3(1)(a)]~~, the  
164 Superintendent shall distribute \$240,000 to each local education board of a low performing  
165 school~~[identified under Subsection R277-920-3(1)(a)]~~.

166 (3) Subject to availability of funds, in addition to the amount distributed under  
167 Subsection (2), the Superintendent shall distribute an amount equal to \$30,000 for each  
168 of the following criteria that a school meets:

169 (a) the school is located in a county with a county seat that is over 100 miles away  
170 from Salt Lake City;

- 171 (b) the school is located within San Juan County; or  
172 (c) the school:  
173 (i)(A) has over 75 full time equivalent educators; and  
174 (B) includes grade 12; or  
175 (ii)(A) has over 37 full time equivalent educators; and  
176 (B) does not include grade 12.  
177 (4) The Superintendent shall distribute any funds available for distribution under  
178 Subsection (1) after the allocation of funds described in Subsections (2) and (3) to local  
179 education boards of low performing schools on a prioritized basis taking need for the funds,  
180 as demonstrated by the needs assessment conducted in accordance with Section 53A-1-  
181 1203, into account.  
182 (5)(a) The local education board shall use the funding distributed under this section  
183 to contract with an independent school turnaround expert, including travel costs, in  
184 accordance with Sections 53A-1-1204 and 53A-1-1205.  
185 (b) A local education board shall use funding available after the allocation of funds  
186 under Subsection (5)(a) only for interventions identified in a school turnaround plan.  
187 (6) The Superintendent may review uses of funds and contracts with independent  
188 school turnaround experts.

189 **R277-920-6. Teacher Recruitment and Retention**~~[Program]~~.

- 190 (1) As used in this section, "matching funds" means funds that are not allocated to  
191 a school under Section R277-920-5.  
192 (2) On or before January 15, a local education board of a school in critical needs  
193 status shall submit a plan to the Superintendent that:  
194 (a) includes a strategy for teacher recruitment and retention for the school in critical  
195 needs status;  
196 (b)(i) except as provided in Subsection (2)(b)(ii), is responsive to the needs  
197 assessment conducted in accordance with Section 53A-1-1203; or  
198 (ii) if the school was identified ~~[for critical needs status]~~as a low performing school

199 based on 2014-2015 school accountability results, includes a root cause analysis of the  
200 school's teacher recruitment and retention challenges, including:  
201 (A) a clear definition of the problem to be solved;  
202 (B) hypotheses for the causes of the problem;  
203 (C) strategies to address the root causes of the problem;  
204 (D) current data on teacher retention rates; and  
205 (E) current recruitment and retention strategies; and  
206 (c) may include a stipend for educators who work non-contract hours to implement  
207 strategies identified in a school improvement plan.  
208 (3) A local education board of a low performing school that is seeking matching  
209 funds from the state to implement the strategies for teacher recruitment and retention  
210 identified in the plan described in Subsection (1) shall provide assurances in the plan that  
211 the local education board will allocate matching funds.  
212 (4) The Superintendent shall:  
213 (a) approve a plan that meets the criteria described in Subsection (1); and  
214 (b) on or before March 1, distribute matching funds to a local education agency  
215 described in Subsection (3) in an amount not to exceed:  
216 (i) \$1000 per teacher for schools identified based on 2014-2015 school  
217 accountability results; or  
218 (ii) \$1500 per teacher for schools identified based on 2016-17 school accountability  
219 results and each year thereafter.

220 **R277-920-[5]7. Appeal Process for Denial of a School Turnaround Plan.**

221 (1) As used in this section "plan" means a school turnaround plan described in  
222 Subsection 53A-1-1204(5).

223 ([4]2) A committee[~~, local school board, or charter school governing~~] or local  
224 education board may appeal the denial of a plan, in whole or in part, by following the  
225 procedures and requirements of this section.

226 ([2]3) An appeal authorized by this rule:

- 227 (a) is an informal adjudicative proceeding under Section 63G-4-203; and
- 228 (b) shall be resolved by the date specified in Subsection 53A-1-1206([5]6)(b).
- 229 ([3]4)(a) A principal, on behalf of a committee, may request that the local [school
- 230 ~~board or the charter school governing~~education board reconsider the denial of a plan:
- 231 (i) by electronically filing the request:
- 232 (A) with the chair of the local [school board or the charter school
- 233 ~~governing~~education board; and
- 234 (B) on a form provided on the [USOE]Board website; and
- 235 (ii) within 5 calendar days of the denial.
- 236 (b) The reconsideration request may include a modification to the plan if the
- 237 committee approves the modification.
- 238 (c) The local [school board or the charter school governing]education board shall
- 239 respond to the request within 10 calendar days by:
- 240 (i) refusing to reconsider its action;
- 241 (ii) approving a plan, in whole or in part; or
- 242 (iii) denying a plan modification.
- 243 (d) The principal may appeal the denial of a plan under this Subsection (3):
- 244 (i) by electronically filing an appeal with the Superintendent on a form provided on
- 245 the [USOE]Board website; and
- 246 (ii) within 5 calendar days of the denial.
- 247 (e) An appeal filed under this subsection shall be resolved in accordance with
- 248 Subsections (5) and (6).
- 249 ([4]5) A district superintendent, on behalf of a local school board, or a charter school
- 250 governing board chair, on behalf of a charter school governing board, may appeal the
- 251 [Superintendent's]Board's denial of a plan:
- 252 (a) by electronically filing an appeal with the Superintendent on a form provided on
- 253 the [USOE]Board website; and
- 254 (b) within 5 calendar days of the denial.
- 255 ([5]6)(a) At least three members of a Board committee, appointed by the Board as

256 the appeal committee, shall review the written appeal.

257 (b) The appeal committee may ask the principal, district superintendent, local  
258 school board chair, or charter school governing board chair to:

259 (i) provide additional written information; or

260 (ii) appear personally and provide information.

261 (c) The appeal committee shall make a written recommendation within 5 business  
262 days of receipt of the appeal request to the Board to accept, modify, or reject the plan and  
263 give a reason for the recommendation.

264 ([6]7) The Board may accept or reject the appeal committee's recommendation and  
265 the Board's decision is the final administrative action.

266 **R277-920-8. Exit Criteria for a School in Critical Needs Status -- Extensions -- More**  
267 **Rigorous Interventions.**

268 (1)(a) Except as provided in Subsection (1)(b), [F]to exit critical needs status, a  
269 school shall demonstrate that the school no longer meets the criteria for which the school  
270 was identified:

271 ([a]i) for the second and third years, consecutively, after which the school was  
272 identified for critical needs status; or

273 ([b]ii) for two consecutive years by the end of the extension period described in  
274 Subsection (3).

275 (b) A school that was identified based on 2014-15 school accountability results is  
276 required to improve performance by at least one letter grade, as determined by comparing  
277 the school's letter grade for the 2014-15 school year to the school's letter grade for the  
278 2017-18 school year.

279 (2) In determining whether a school has met the criteria described in Subsection (1),  
280 the Superintendent shall apply the indicators, weightings, and threshold scores described  
281 in the version of Title 53A, Chapter 1, Part 11, School Accountability System that was in  
282 place at the time the school was identified.

283 (3) If a school does not meet the exit criteria described in Subsection (1)(a), the

284 school may qualify for an extension to continue current school improvement efforts for up  
285 to two years if the school:

286 (a)(i) has cut the difference by 50% between:

287 (A) the percentage of points earned in the school year in which the school was  
288 identified; and

289 (B) the percentage of points necessary to meet the exit criteria described in  
290 Subsection (1)(a); or

291 (ii) has met the exit criteria described in Subsection (1)(a) for only one year; and  
292 (b) electronically files an extension request with the Superintendent within 15 days  
293 of the release of school accountability results, that provides rationale justifying an  
294 extension.

295 (4)(a) The Superintendent shall conduct an in-depth analysis of the alignment of the  
296 school's curriculum to the Utah core standards:

297 (i) in each school that qualifies for an extension under Subsection (3); and  
298 (ii) that is individualized to each teacher.

299 (b) The Superintendent may require a local education [agency]board or school to:

300 (i) take actions to remedy issues identified in the analysis described in Subsection  
301 (4)(a); or

302 (ii) revise the school turnaround plan.

303 (5) If a school identified for critical needs status does not meet the exit criteria  
304 described in Subsection (1) or qualify for an extension as described in Subsection (3) the  
305 following groups shall make a recommendation to the Board on what action the Board  
306 should take:

307 (a) a state review panel, described in Subsection (7);

308 (b) if the school is a district school, the local school board, with input from the  
309 community as described in Subsection (8); and

310 (c) if the school is a charter school, the charter school authorizer with input from the  
311 community as described in Subsection (8).

312 (6) The groups described in Subsection (5) shall make a recommendation within 90

- 313 days of the release of school accountability results~~[and]~~ on whether the Board should:
- 314 (a) require personnel changes, including replacement of school leaders or teachers;
- 315 (b) if the school is a district school:
- 316 (i) require involuntary transfers of school leaders or teachers;
- 317 (ii) require the local school board to change school boundaries;
- 318 (iii) temporarily appoint a public or non-profit entity other than the local school board
- 319 to manage and operate the school; or
- 320 (iv) permanently transfer control of a school to a public or non-profit entity other than
- 321 the local education board;
- 322 (c) if the school is a charter school:
- 323 (i) require that the charter school governing board be replaced; or
- 324 (ii) require that the charter school authorizer close the school; or
- 325 (d) take other action.
- 326 (7)(a) The Superintendent shall appoint members of the state review panel subject
- 327 to Subsection (7)(b).
- 328 (b) The state review panel shall include at least three members who each have
- 329 demonstrated expertise in two or more of the following fields:
- 330 (i) leadership at the school district or school level;
- 331 (ii) standards-based elementary or secondary curriculum instruction and
- 332 assessment;
- 333 (iii) instructional data management and analysis;
- 334 (iv) educational program evaluation;
- 335 (v) educational program management;
- 336 (vi) teacher leadership;
- 337 (vii) organizational management; or
- 338 (viii) school budgeting and finance.
- 339 (c) The state review panel shall critically evaluate at least:
- 340 (i) whether the local education agency has the capacity to implement the changes
- 341 necessary to improve school performance;

- 342 (ii) whether the school leadership is adequate to implement change to improve  
343 school performance;
- 344 (iii) whether the school has sufficient authority to implement change;  
345 (iv) whether the plan is being implemented with fidelity;  
346 (v) the likelihood that performance can be improved within the current management  
347 structure and staffing; and
- 348 (vi) the necessity that the school remain in operation to serve students.
- 349 (8) A local school board and charter school authorizer shall develop  
350 recommendations under this section in collaboration with:
- 351 (a) parents of students currently attending the school;  
352 (b) teachers, principals, and other school leaders [at the school](#);  
353 (c) stakeholders representing the interests of students with disabilities, English  
354 learners, and other vulnerable student populations; and  
355 (d) other community members and community partners.

356 ~~**R277-920-6. Consequences for a Low Performing School.**~~

- 357 ~~—— (1) The Board may impose a consequence described in this section if a low~~  
358 ~~performing school does not improve the school's grade one letter grade or better within the~~  
359 ~~time described in Subsection 53A-1-1207(3):~~
- 360 ~~—— (2) The Board may restructure a low performing district school by taking over the low~~  
361 ~~performing district school, or by other means as the Board deems appropriate.~~
- 362 ~~—— (3) The Board may restructure a low performing charter school by taking over the~~  
363 ~~low performing charter school, or by:~~
- 364 ~~—— (a) closing the low performing charter school; or~~  
365 ~~—— (b) other means as the Board deems appropriate.~~

366 ~~**R277-920-7. Hearing and Procedure Requirements Related to the Board's Imposition**~~  
367 ~~**of a Consequences for Low Performing Schools.**~~

- 368 ~~—— On or before December 1, 2016, the Superintendent shall make recommendations~~

369 to the Board for changes to this rule regarding hearing and procedure requirements related  
370 to the Board's imposition of a consequence as described in Section R277-920-6.]

371 **R277-920-[8]9. School Leadership Development Program.**

372 (1) A school leader ~~[other than a school leader from a low performing school]~~[in  
373 critical needs status] may apply to participate in the School Leadership Development  
374 Program if the school leader:

375 (a) is assigned to a ~~[priority school as designated by the Superintendent]~~school in  
376 critical needs status~~[that is not a low performing school]~~; or

377 (b) is nominated by the school leader's district superintendent or charter school  
378 governing board to participate.

379 (2) A school leader who meets the requirements of Subsection (1) may apply to  
380 participate in the School Leadership Development Program by electronically submitting an  
381 application to the Superintendent on a form provided on the ~~[USOE]~~Board website by the  
382 date specified on the ~~[USOE]~~Board website.

383 (3)(a) The Superintendent shall select a school leader to participate in the School  
384 Leadership Development Program based on the following selection criteria:

385 (i) ~~[f]~~First priority ~~[is]~~shall be given to a school leader who is assigned to a low  
386 performing school~~[in critical needs status]~~;

387 (ii) second priority is given to a school leader who is assigned to a ~~[priority school~~  
388 ~~as designated by Superintendent]~~ school in critical needs status that is not a low  
389 performing school; and

390 (iii) third ~~[Second]~~ priority is ~~[shall be]~~ given to a school leader who is nominated by  
391 the school leader's district superintendent or charter school governing board.

392 (b) Notwithstanding Subsection (3)(a), the Superintendent may give priority to a  
393 school leader who has not received prior leadership training before selecting a school  
394 leader who has received prior leadership training.

395 ~~[(4)(a) In consultation with the Superintendent and the local school board chair, the~~  
396 ~~district superintendent of a low performing school]~~[in critical needs status] shall select a

397 ~~district administrator to participate in the School Leadership Development Program to:~~  
398 ~~——(i) support the school leader participating in the School Leadership Development~~  
399 ~~Program; and~~

400 ~~——(ii) assist the school district's local school board to fulfill the requirements of~~  
401 ~~Subsection 53A-1-1204(4).~~

402 ~~——(b) In consultation with the Superintendent and the governing board chair, the~~  
403 ~~charter director of a low performing school[in critical needs status] shall select a charter~~  
404 ~~administrator to participate in the School Leadership Development Program to support the~~  
405 ~~school leader participating in the School Leadership Development Program.]~~

406 ([5]4)(a) In accordance with Subsection 53A-1-1209(4), the Superintendent shall  
407 award incentive pay to a school leader [~~described in Subsection (1)~~] within 30 days after  
408 the school leader:

409 (i) completes the School Leadership Development Program; and

410 (ii) submits a written agreement to the Superintendent to work as described in  
411 Subsection 53A-1-1209(4).

412 (b) The Superintendent shall evenly divide the appropriation among the school  
413 leaders who meet the requirements of this Subsection ([5]4).

414 ([6]5) The Superintendent may award incentive pay to a school leader described in  
415 Subsection (5) for up to five years.

416 **R277-920-[9]10. School Recognition and Reward Program.**

417 (1) The Superintendent shall distribute school recognition and reward program  
418 money to the principal of an eligible school:

419 (a) in accordance with Section 53A-1-1208; and

420 (b) within 30 days of the Board's official release of school grades for the year the  
421 eligible school is eligible for an award of money.

422 (2) The Superintendent shall notify the principal of an eligible school within 15 days  
423 of the Board's official release of school grades:

424 (a) that the eligible school is eligible for an award of money pursuant to Section 53A-

425 1-1208; and

426 (b) of the amount of the award that the eligible school will receive.

427 (3) In accordance with Section 53A-1-1208, the principal shall distribute the money  
428 received under Subsection (1):

429 (a) to each educator assigned to the school for all of the years the school  
430 ~~[participated in the school turnaround program]~~ was identified ~~[for critical needs status]~~ as  
431 a low performing school; and

432 (b) in a pro-rated manner to each educator assigned to the school for less time than  
433 the school ~~[participated in the school turnaround program]~~ was identified ~~[for critical needs~~  
434 ~~status]~~ as a low performing school.

435 **R277-920-11. Superintendent's Identification of Schools for Targeted Needs Status.**

436 (1) As used in this section, "student groups" means a group of 10 or more students:

437 (a) who are economically disadvantaged;

438 (b) with disabilities;

439 (c) who are English learners;

440 (d) by racial and ethnic groups, including:

441 (i) African American;

442 (ii) American Indian;

443 (iii) Asian;

444 (iv) Hispanic;

445 (v) Multiple races;

446 (vi) Pacific Islander; and

447 (vi) White.

448 (2)(a) Subject to Subsection (2)(b), the Superintendent shall identify for targeted  
449 needs status any school with one or more student groups who:

450 (i) for two consecutive years, is assigned a percentage of points in the state's  
451 accountability system that is lower than the percentage of points associated with the lowest  
452 rating in the state's accountability system; and

- 453 (ii) is not currently identified for critical needs status under Section R277-920-3.
- 454 (b) The Superintendent shall make the identification under Subsection (2)(a)  
455 beginning with the 2018-2019 school accountability results and every year thereafter.
- 456 (3) A school identified under Subsection (2) shall develop and implement a plan to  
457 improve performance of the student group that was the subject of the identification under  
458 Subsection (2), in accordance with the Elementary and Secondary Education Act of 1965,  
459 20 U.S.C. Sec. 6301 et seq.
- 460 (4) To exit targeted needs status, a school shall demonstrate that the school no  
461 longer meets the criteria for which the school was identified for two consecutive years  
462 within four school years after the month in which the school was identified.
- 463 (5) The Superintendent shall identify a school that does not meet the exit criteria  
464 described in Subsection (4) as a school with chronically underperforming student groups  
465 as described in Section R277-920-3.

466 **KEY: school improvement, principals, school leader**

467 **Date of Enactment of Last Substantive Amendment: [February 8, 2016]2018**

468 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-401[~~(3)~~]; Title**

469 **53A-1-12**